

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
NORTHERN DIVISION

JEFFERY L. THOMAS, #158680,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:07-cv-254-MEF
)	WO
RICHARD ALLEN,)	
)	
Defendant.)	

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. #6) to the Recommendation of the Magistrate Judge filed on April 23, 2007 is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #5) filed on April 11, 2007 is adopted;
3. This case is DISMISSED without prejudice prior to service or process without prejudice pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(ii).

DONE this the 8th day of May, 2007

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE